

emption is for not more than 2,500 vehicles to be sold in the United States in any 12-month period.

(e) **MAXIMUM PERIOD.**—An exemption or renewal under subsection (b)(3)(B)(i) of this section may be granted for not more than 3 years. An exemption or renewal under subsection (b)(3)(B)(ii), (iii), or (iv) of this section may be granted for not more than 2 years.

(f) **DISCLOSURE.**—The Secretary may make public, by the 10th day after an application is filed, information contained in the application or relevant to the application unless the information concerns or is related to a trade secret or other confidential information not relevant to the application.

(g) **NOTICE OF DECISION.**—The Secretary shall publish in the Federal Register a notice of each decision granting an exemption under this section and the reasons for granting it.

(h) **PERMANENT LABEL REQUIREMENT.**—The Secretary shall require a permanent label to be fixed to a motor vehicle granted an exemption under this section. The label shall either name or describe each motor vehicle safety standard prescribed under this chapter or bumper standard prescribed under chapter 325 of this title from which the vehicle is exempt. The Secretary may require that written notice of an exemption be delivered by appropriate means to the dealer and the first purchaser of the vehicle other than for resale.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 945; Pub. L. 105–277, div. A, §101(g) [title III, §351(a)], Oct. 21, 1998, 112 Stat. 2681–439, 2681–475.)

#### HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
30113(a) .....	15:1410(g).	Sept. 9, 1966, Pub. L. 89–563, 80 Stat. 718, §123; added Apr. 10, 1968, Pub. L. 90–283, 82 Stat. 72; restated Oct. 25, 1972, Pub. L. 92–548, §3, 86 Stat. 1159.
30113(b) .....	15:1410(a) (1st sentence), (c)(1) (23d–last words), (2) (23d–last words).	
30113(c) .....	15:1410(e).	
30113(d) .....	15:1410(d).	
30113(e) .....	15:1410(c)(1) (1st–22d words), (2) (1st–22d words).	
30113(f) .....	15:1410(f).	
30113(g) .....	15:1410(a) (last sentence).	
30113(h) .....	15:1410(b).	

In subsection (a), the words “the term” and “type of” are omitted as surplus. The words “when the vehicle is manufactured” are substituted for “at the time of manufacture” for consistency.

In subsection (b)(1), the words “Except as provided in subsection (d) of this section” are omitted as surplus. The words “to such extent” are omitted as being included in “on terms the Secretary considers appropriate”.

In subsection (b)(2), the words “The Secretary may begin a proceeding under this subsection . . . for an exemption or a renewal of an exemption” are added because of the restatement. The words “of the application” are added for clarity. The words “An application for an exemption or for a renewal of an exemption shall be filed” are added because of the restatement.

In subsection (b)(3)(A), the words “such temporary” and “the objectives of” are omitted as surplus.

In subsection (b)(3)(B)(i), the words “to a manufacturer that” are substituted for “such manufacturer . . .

and that the manufacturer” to eliminate unnecessary words. The words “from which it requests to be exempted” are omitted as surplus.

In subsection (b)(3)(B)(ii), the words “from which an exemption is sought” are omitted as surplus.

In subsection (b)(3)(B)(iii), the words “lower the safety level” are substituted for “degrade the safety” for clarity.

In subsection (b)(3)(B)(iv), the word “requiring” is omitted as surplus.

In subsection (c), before clause (1), the words “the following information” are added for clarity. In clause (1), the word “describing” is substituted for “the basis of showing” to eliminate unnecessary words. The words “each motor vehicle safety standard prescribed under this chapter from which the manufacturer is requesting an exemption” are substituted for “the standards” for clarity. In clauses (2) and (3), the words “a record” are substituted for “documentation” for consistency in the revised title. In clause (2), the words “establishing that the safety level of the feature at least equals the safety level of the standard” are substituted for “establishing that the level of safety of the new safety feature is equivalent to or exceeds the level of safety established in the standard from which the exemption is sought” because of the restatement. In clause (3), the word “level” is added, and the words “lowered . . . by exemption from the standard” are substituted for “degraded”, for consistency in this section. In clause (4), the words “at least equal to” are substituted for “equivalent to or exceeding” for consistency.

In subsection (f), the text of 15:1410(f) (1st sentence) is omitted as executed. The words “under this section all” and “other information” are omitted as surplus. The words “to the application” are substituted for “thereto” for clarity. The words “business” and “for exemption” are omitted as surplus.

In subsection (g), the words “The Secretary” are added for clarity. The word “temporary” is omitted as surplus. The words “under this section” are added for clarity.

In subsection (h), the words “a . . . label to be fixed to a motor vehicle granted an exemption under this section” are substituted for “labeling of each exempted motor vehicle . . . and be affixed to such exempted vehicles” for clarity. The words “of such exempted motor vehicle in such manner as he deems” are omitted as surplus. The words “motor vehicle safety standard prescribed under this chapter” are substituted for “the standards” for clarity and consistency in this chapter.

#### AMENDMENTS

1998—Subsec. (b)(1). Pub. L. 105–277, §101(g) [title III, §351(a)(1)(A)], inserted “or passenger motor vehicles from a bumper standard prescribed under chapter 325 of this title,” after “a motor vehicle safety standard prescribed under this chapter”.

Subsec. (b)(3)(A). Pub. L. 105–277, §101(g) [title III, §351(a)(1)(B)], inserted “or chapter 325 of this title (as applicable)” after “this chapter”.

Subsec. (c)(1). Pub. L. 105–277, §101(g) [title III, §351(a)(2)], inserted “, or a bumper standard prescribed under chapter 325 of this title,” after “motor vehicle safety standard prescribed under this chapter”.

Subsec. (d). Pub. L. 105–277, §101(g) [title III, §351(a)(3)], inserted “(including an exemption under subsection (b)(3)(B)(i) relating to a bumper standard referred to in subsection (b)(1))” after “subsection (b)(3)(B)(i) of this section”.

Subsec. (h). Pub. L. 105–277, §101(g) [title III, §351(a)(4)], inserted “or bumper standard prescribed under chapter 325 of this title” after “each motor vehicle safety standard prescribed under this chapter”.

#### § 30114. Special exemptions

The Secretary of Transportation may exempt a motor vehicle or item of motor vehicle equipment from section 30112(a) of this title on terms the Secretary decides are necessary for research,

investigations, demonstrations, training, competitive racing events, show, or display.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 947; Pub. L. 105-178, title VII, §7107(a), June 9, 1998, 112 Stat. 469.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
30114 .....	15:1397(j).	Sept. 9, 1966, Pub. L. 89-563, 80 Stat. 718, §108(j); added Oct. 31, 1988, Pub. L. 100-562, §2(b), 102 Stat. 2824.

The word “conditions” is omitted as being included in “terms”, and the word “studies” is omitted as being included in “research”. The word “solely” is omitted as unnecessary.

AMENDMENTS

1998—Pub. L. 105-178 substituted “competitive racing events, show, or display” for “or competitive racing events”.

TRANSITION RULE

Pub. L. 105-178, title VII, §7107(b), June 9, 1998, 112 Stat. 469, provided that: “A person who is the owner of a motor vehicle located in the United States on the date of enactment of this Act [June 9, 1998] may seek an exemption under section 30114 of title 49, United States Code, as amended by subsection (a) of this section, for a period of 6 months after the date regulations of the Secretary of Transportation promulgated in response to such amendment take effect.”

§ 30115. Certification of compliance

(a) IN GENERAL.—A manufacturer or distributor of a motor vehicle or motor vehicle equipment shall certify to the distributor or dealer at delivery that the vehicle or equipment complies with applicable motor vehicle safety standards prescribed under this chapter. A person may not issue the certificate if, in exercising reasonable care, the person has reason to know the certificate is false or misleading in a material respect. Certification of a vehicle must be shown by a label or tag permanently fixed to the vehicle. Certification of equipment may be shown by a label or tag on the equipment or on the outside of the container in which the equipment is delivered.

(b) CERTIFICATION LABEL.—In the case of the certification label affixed by an intermediate or final stage manufacturer of a motor vehicle built in more than 1 stage, each intermediate or final stage manufacturer shall certify with respect to each applicable Federal motor vehicle safety standard—

- (1) that it has complied with the specifications set forth in the compliance documentation provided by the incomplete motor vehicle manufacturer in accordance with regulations prescribed by the Secretary; or
- (2) that it has elected to assume responsibility for compliance with that standard.

If the intermediate or final stage manufacturer elects to assume responsibility for compliance with the standard covered by the documentation provided by an incomplete motor vehicle manufacturer, the intermediate or final stage manufacturer shall notify the incomplete motor vehicle manufacturer in writing within a reasonable

time of affixing the certification label. A violation of this subsection shall not be subject to a civil penalty under section 30165.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 947; Pub. L. 106-414, §9, Nov. 1, 2000, 114 Stat. 1805.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
30115 .....	15:1397(a)(1)(C), (E) (related to 15:1403).	Sept. 9, 1966, Pub. L. 89-563, §108(a)(1)(C), (E) (related to §114), 80 Stat. 722; Oct. 27, 1974, Pub. L. 93-492, §103(a)(1)(A), (2)(B), 88 Stat. 1477, 1478.
	15:1403.	Sept. 9, 1966, Pub. L. 89-563, §114, 80 Stat. 726.

The words “fail to issue a certificate required by section 1403 of this title” in 15:1397(a)(1)(C) and the text of 15:1397(a)(1)(E) (related to 15:1403) are omitted as surplus. The word “certify” is substituted for “furnish . . . the certification” in 15:1403 to eliminate unnecessary words. The words “the time of” and “of such vehicle or equipment by such manufacturer or distributor” are omitted as surplus. The words “prescribed under this chapter” are added for clarity. The word “reasonable” is substituted for “due” in 15:1397(a)(1)(C) for consistency in the revised title. The words “to the effect that a motor vehicle or item of motor vehicle equipment conforms to all applicable Federal motor vehicle safety standards” are omitted because of the restatement. The words “shown by” are substituted for “in the form of” in 15:1403 for clarity.

AMENDMENTS

2000—Pub. L. 106-414 designated existing provisions as subsec. (a), inserted heading, and added subsec. (b).

FOLLOW-UP REPORT

Pub. L. 106-414, §16, Nov. 1, 2000, 114 Stat. 1808, provided that: “One year after the date of the enactment of this Act [Nov. 1, 2000], the Secretary of Transportation shall report to the Congress on the implementation of the amendments made by this Act [see Short Title of 2000 Amendment note set out under section 30101 of this title] and any recommendations for additional amendments for consumer safety.”

§ 30116. Defects and noncompliance found before sale to purchaser

(a) ACTIONS REQUIRED OF MANUFACTURERS AND DISTRIBUTORS.—If, after a manufacturer or distributor sells a motor vehicle or motor vehicle equipment to a distributor or dealer and before the distributor or dealer sells the vehicle or equipment, it is decided that the vehicle or equipment contains a defect related to motor vehicle safety or does not comply with applicable motor vehicle safety standards prescribed under this chapter—

- (1) the manufacturer or distributor immediately shall repurchase the vehicle or equipment at the price paid by the distributor or dealer, plus transportation charges and reasonable reimbursement of at least one percent a month of the price paid prorated from the date of notice of noncompliance or defect to the date of repurchase; or
- (2) if a vehicle, the manufacturer or distributor immediately shall give to the distributor or dealer at the manufacturer’s or distributor’s own expense, the part or equipment needed to make the vehicle comply with the standards or correct the defect.